The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CARY LANE ROHWER

Appeal No. 2005-1872
Application No. 09/518,349

ON BRIEF

Before HAIRSTON, KRASS, and RUGGIERO, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-53.

The invention is directed to a centralized graphical user interface (GUI) for managing media assets in a network by specifying and scheduling operations to be performed by a plurality of media servers in different locations in a computer network.

Representative independent claim 1 is reproduced as follows:

1. A method for managing execution of operations performed on media data by selected ones of a plurality of media servers of a network, the process comprising the steps of:

at a node of the network, receiving information input by the user specifying a selected one of the media servers for scheduling operations to be performed, wherein said node resides in a first time zone and said selected media server resides in a second time zone. and wherein there is a time difference between said first and second time zones;

at said node, displaying graphical information indicative of a current local time at said selected media server.

The examiner relies on the following references:

Moskowitz et al. (Moskowitz)	5,629,732	May 13, 1997
Monteiro et al. (Monteiro)	5,778,187	Jul. 07, 1998
Fu et al. (Fu)	5,845,257	Dec. 01, 1998
Sequeira	6,222,530	Apr. 24, 2001 (filed Aug. 21, 1998)
Lindblad et al. (Lindblad)	6,225,993	May 01, 2001 (filed Apr. 22, 1996)
Bowman-Amuah (Bowman)	6,332,163	Dec. 18, 2001 (filed Sep. 01, 1999)
Morris	6,353,848	Mar. 05, 2002 (filed Jul. 31, 1998)

Claims 1-53 stand rejected under 35 U.S.C. §103. The examiner offers Sequeira, Bowman, and Fu with regard to claims 1-4, 19-22, and 37-40, adding

Lindblad with regard to claims 5, 6, 23, 24, and 41, and adding Moskowitz to the original combination, with regard to claims 7, 8, 25, 26, 42, and 43. The examiner offers Sequeira, Bowman, Fu, Lindblad, and Morris with regard to claims 9-16, 27-34, and 44-51. With regard to claims 17, 18, 35, 36, 52, and 53, the examiner offers Sequeira, Bowman, Fu and Monteiro.

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

OPINION

With regard to the independent claims 1, 19, and 37, it is the examiner's position that Sequeira shows a master scheduler for assisting clients in viewing stored media at scheduled times. In particular, the examiner points to Figure 1, and element 120 of Sequeira as a master scheduler node for receiving information input by a user specifying a selected one of the media servers for scheduling operations to be performed (the examiner also indicates column 3, line 60 through column 4, line [?], and column 5, line 5, to be of interest (answer-page 4, lines 4-5)).

The examiner further points to Figure 6, and column 14, lines 4-27, of Sequeira for a teaching of displaying graphical information indicative of times at selected media servers.

The examiner acknowledges that Sequeira does not identify the node and server being in different time zones, but the examiner contends that this feature is "well known in the art" (answer-page 4, line 10) and would have been an obvious modification. The examiner relies on Bowman as evidence, pointing to column 104, line 55, through column 105, line 9, therein, for communications between a node and a server residing in different time zones.

The examiner bases the combination of Sequeira and Bowman on the readily recognized "desirability and advantages of modifying the system disclosed by Sequeira by employing the feature shown by Bowman in order for clients to interact with servers distributed in various regions through the world" (answer-page 4, lines 17-19).

The examiner realizes that even this combination does not teach the displaying of current local time of the server in the different time zone, but the examiner contends that this feature is "well known" (answer-page 4, last line), as evidence by Fu. The examiner points to column 4, line 54, through column 5, line 10, of Fu for a disclosure of displaying current local time of a remote location in a different time zone, and concludes that the artisan would have combined Fu's teaching with the Sequeira/Bowman combination "in order to better schedule events in different time zones" (answer-page 5, line 8).

Appellant argues that there is no motivation to combine these references. In particular, appellant points out that Sequeira controls multimedia assets for broadcasting and that a GUI 110 is provided to allow a programmer to schedule the showing of events and supporting events at specific times on various broadcasting forums, pointing to Figure 8 and column 2, lines 60-64. Appellant contends that Sequeira only provides the GUI for arranging a programming schedule, and that it is schedulers 120, 140 that actually direct server operations based on the entered programming schedule. Therefore, argues appellant, there is no teaching or suggestion that GUI 110 allows a user to access or select any particular server to schedule operations, the user being limited to arranging the program on the grid (referring to option menu 1201 shown in Figure 12).

Appellant contrasts this teaching with that of Fu which discloses an electronic appointment calendar interface, as in Figure 2. While the calendar shows a local current time and date (column 2, lines 30-31), Fu also discloses a home time and a remote time. But, Fu fails to teach or suggest that either the home time or the remote time has any specific relationship or connection to any particular server or computer located in any time zone different from the user's time zone.

With these observations in mind, appellant asserts that Sequeira and/or Bowman have no use for an approach such as Fu's, because Sequeira deals with

scheduling events in a single time zone, other time zones being completely irrelevant to a broadcast programmer when arranging the grid in a single time zone. Moreover, argues appellant, even if the media server 130 of Sequeira could be arranged in a time zone separate from that of the broadcast scheduling GUI 110, the time zone that the media server 130 is located in is still irrelevant to the broadcast scheduler, as it is the broadcast schedule which concerns the scheduler, and not a server time.

At page 19 of the principal brief, appellant contends that none of the applied references disclose or suggest, at a node, "receiving information input by the user specifying a selected one of the media servers for scheduling operations to be performed," or, "at said node, displaying graphical information indicative of a current local time at said selected media server."

We have reviewed the evidence of record, including the arguments of appellant and the examiner, and we conclude therefrom that the examiner has failed to establish a prima facie case of obviousness with regard to the instant claimed subject matter.

While Sequeira does involve controlling multimedia events and tasks for the events are sent to media servers for execution at a predetermined time, we find nothing in Sequeira, and the examiner has not convincingly pointed to anything therein, which deals with management of execution of operations performed on media data "by selected ones of a plurality of media servers of a network" wherein information input by

a user specifying a selected one of the media servers for scheduling operations is received at a node of the network, and the node resides in a first time zone while the selected media server resides in a different time zone.

The examiner identifies Master Scheduler 120 of Sequeira as the claimed node, as this is said to receive information input by the user specifying a selected media server. The examiner points to column 3, line 60 through column 5, line 5, of Sequeira. We have reviewed the reference and find that Master Scheduler 120 communicates with Media Server 130 over a network (column 4, lines 25-26), that GUI 110 communicates with the Master Scheduler 120, and that the GUI 110 and the Master Scheduler 120 may be on two separate computers (column 3, line 60 through column 4, line 2). It appears, as argued by appellant, that Sequeira provides GUI 110 for arranging a programming schedule by a user, and that schedulers 120 and 140 actually direct server operations based on the entered programming schedule (principal brief-page 17). We agree with appellant that nothing in Sequeira appears to indicate that a user is permitted to select any particular server to schedule operations, yet the instant claims require "the user specifying a selected one of the media servers."

There is no disagreement that Sequeira fails to disclose or suggest that the node resides in a first time zone and the selected media server resides in a second, different

time zone. The examiner provides for this deficiency by reliance on Bowman. Bowman does suggest that clients and servers may be in different time zones (column 104, lines 61-65) and appellant's arguments do not appear to take issue with this.

But, in addition to the node and the media server being in different time zones, the instant claims require that the current local time of the selected media server be displayed at the node.

The examiner relies on Fu for such a teaching, contending that Fu, at column 4, line 54, through column 5, line 10,teaches the display of scheduling events across multiple time zones, and actually displays current local time of a remote location in a different time zone.

We agree with appellant that Fu merely shows a user calendar interface for showing a local time and calculating a home time and a remote time, wherein local time is the time where the user is physically located, home time is the time at the location where the user usually resides or has a home office, and remote time is the time in the time zones of other individuals. Fu does not teach any specific relationship of these various times to any particular server or computer located in any time zone different from the user's time zone.

Moreover, while the examiner contends that the combination of references would have been made "in order to better schedule events in different time zones," (answer-

page 5), we do not agree that there is sufficient motivation provided by the applied references to make the combination.

Since the Sequeira/Bowman system appears to schedule events on a grid that is in a single time zone (the examiner does not dispute this), it would appear, as argued by appellant (principal brief-page 18), that "[o]ther time zones are completely irrelevant to the broadcast programmer when he is arranging the grid in this single time zone." Since Sequeira/Bowman does not schedule events in separate time zones, it appears that displaying a current local time of a server at a different time zone, as claimed, would be irrelevant to Sequeira/Bowman. Accordingly, the artisan would not have been led by any teaching in Fu to modify Sequeira/Bowman to display the local time of a server in a different time zone.

Further, as pointed out by appellant, at page 18 of the principal brief, "even if the media server 130 in Sequeira could be arranged in a time zone separate from that of the broadcast scheduling GUI 110. . .the time zone that the media server 130 is located in is still irrelevant to the broadcast scheduler, as it is the broadcast schedule that the scheduler is concerned with, not a server time."

Thus, since we find no convincing reason for combining the references in the manner applied by the examiner, and since we find nothing in the applied references suggesting, at the node, "receiving information input by the user specifying a selected

one of the media servers for scheduling operations to be performed," or suggesting, "at said node, displaying graphical information indicative of a current local time at said selected media server," we will not sustain the examiner's rejection of claims 1-53 under 35 U.S.C. §103.

We have reviewed the other references to Lindblad, Moskowitz, Morris, and Monteiro, but do not find them to remedy the deficiencies noted supra with regard to Sequeira, Bowman and Fu.

Accordingly, the examiner's decision is reversed.

REVERSED

KENNETH W. HAIRSTON
Administrative Patent Judge

ERROL A. KRASS
Administrative Patent Judge

JOSEPH F. RUGGIERO
Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES

EAK/vsh

Appeal No. 2005-1872
Application No. 09/518,349

SUGHRUE, MION, PLLC
2100 PENNSYLVANIA AVENUE NW
SUITE 800
WASHINGTON, DC 20037